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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 DAVID PEREZ-ALVAREZ,)
11 Petitioner,) 2:12-cv-02088-JCM-GWF
12 vs.) **ORDER**
13 UNITED STATES OF AMERICA, *et al.*,)
14 Respondents.)
15 _____/

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17 Petitioner, who is represented by counsel, has filed a habeas corpus petition and an
18 emergency motion for a stay of deportation pending disposition of the habeas corpus petition. (ECF
19 Nos. 1 & 2). Petitioner has paid the filing fee for this action and this court has conducted a
20 preliminary review of the petition and motion for a stay of deportation.

21 **IT IS THEREFORE ORDERED** that the clerk of court **SHALL ELECTRONICALLY**
22 **SERVE** copies of the petition (ECF No. 1) and the emergency motion for a stay of deportation (ECF
23 No. 2), and this order, upon respondents as follows:

24 1. By having the United States Marshal, on or before the close of business on the date that
25 this order is entered, serve a copy of the petition (ECF No. 1), the emergency motion for a stay of
26 deportation (ECF No. 2), and this order on the United States Attorney for the District of Nevada or

1 on an Assistant United States Attorney or clerical employee designated by the United States Attorney
2 pursuant to Rule 4(i)(1)(A) of the Federal Rules of Civil Procedure.

3 2. By sending a copy of the petition (ECF No. 1), the emergency motion for a stay of
4 deportation (ECF No. 2), and this order by registered or certified mail to the following: (1) the
5 Honorable Eric Holder, Attorney General of the United States, Department of Justice, 950
6 Pennsylvania Ave. NW, Washington, DC 20530; (2) the Honorable Janet Napolitano, Secretary of
7 the U.S. Department of Homeland Security, Washington, DC 20528; (3) the Office of the Attorney
8 General of the State of Nevada, Criminal Division, 100 North Carson St., Carson City, NV 89701;
9 (4) Leander Holston, the Officer in Charge of the Department of Homeland Security, United States
10 Customs and Immigration Services (USCIS Local), 5650 West Badura Avenue, Suite 100, Las
11 Vegas, NV 89118; and (5) Steven M. Branch, ICE Field Office Director, Detention and Removal,
12 5650 West Badura Avenue, Suite 100, Las Vegas, NV 89118.

13 **IT IS FURTHER ORDERED** that respondents **SHALL FILE AND SERVE** an answer or
14 other response to the petition (ECF No. 1) and the emergency motion for a stay of deportation (ECF
15 No. 2), within **fifteen (15) days** from the date that this order is entered.


16 **IT IS FURTHER ORDERED** that petitioner **SHALL FILE AND SERVE** a reply to
17 respondents' answer or response to the petition and response to the emergency motion for a stay of
18 deportation, within **ten (10) days** of the date that petitioner is served with the same.

19 **IT IS FURTHER ORDERED** that, in its initial response, respondents shall respond to
20 petitioner's arguments and case authority in the petition, seeking to establish habeas jurisdiction in
21 this United States District Court, notwithstanding the provisions of the REAL ID Act of 2005,
22 restricting such jurisdiction.

23 **IT IS FURTHER ORDERED** that all exhibits filed by respondents and petitioner herein
24 **SHALL BE FILED** with a separate index of exhibits identifying the exhibits by number or letter.
25 The CM/ECF attachments that are filed further shall be identified by the number or numbers (or
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1 letter or letters) of the exhibits in the attachment. A hard copy (courtesy copy) of all pleadings and
2 exhibits **SHALL BE FORWARDED** on the date of filing to the staff attorneys, in care of the Office
3 of the Clerk of Court, United States District Court, 400 South Virginia St., Reno, NV 89501.

4 Dated December 26, 2012.

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7 UNITED STATES DISTRICT JUDGE
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